



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As named inventors, **Erich J. Schlosser, Adrian A. Bruno and Todd Trein**, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**OUTDOOR GAS FIREPLACE**," the specification of which was filed March 16, 2004 as U.S. Application No. 10/801,360.

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any Amendment referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)

Priority
ClaimedNONE
Number
Country
Day/Month/Year Filed
Yes No

We hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

NONE
Application Number
Filing Date

We hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

<u>10/262,140</u>	<u>October 1, 2004</u>	<u>Pending</u>
Application Number	Filing Date	Status

We hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

Keith V. Rocky	- 24,713	Austin J. Foley	- 42,543
Daniel N. Christus	- 29,626	Matthew J. Gryzlo	- 43,648
Linda A. Kuczma	- 30,861	Peter M. Klobuchar	- 43,722
Roger H. Stein	- 31,882	Brent A. Hawkins	- 44,146
Kathleen A. Lyons	- 32,815	James F. Goedken	- 44,715
Robert W. Diehl	- 35,118	Maurice E. Teixeira	- 45,646
Bradley F. Rademaker	- 35,331	Joseph M. Kinsella Jr.	- 45,743
Richard C. Himelhoch	- 35,544	Sanjay K. Murthy	- 45,976
Monique A. Morneault	- 37,893	Stephen R. Auten	- 47,396
Jeffrey R. Gargano	- 38,148	Peter M. Siavelis	- 51,136
Paul J. Nykaza	- 38,984	Nicholas C. Pruhs	- 52,136
Edward L. Bishop	- 39,110	Gregory G. Schlenz	- 55,597
James P. Muraff	- 39,785	Vladimir I. Arezina	- 54,966
David L. Schwartz	- 42,133		

Send correspondence and direct telephone calls to:

MATTHEW J. GRYZLO, ESQ.
WALLENSTEIN WAGNER & ROCKEY, LTD.
311 SOUTH WACKER DRIVE, 53RD FLOOR
CHICAGO, ILLINOIS 60606
(312) 554-3300

We hereby declare all statements made herein of our own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Full Name of First Joint Inventor: Erich J. Schlosser

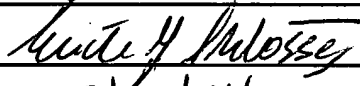
Residential Street Address: 25596 West Chatham Road

City and State/Province: Barrington, Illinois

Country and Zip/Postal Code: U.S.A. 60010

Citizenship: U.S.A.

Mailing Address: Same as above.

Inventor's Signature: 

Date: 5/21/04

Full Name of Second Joint Inventor: Adrian A. Bruno

Residential Street Address: 2509 Millcreek Lane

City and State/Province: Rolling Meadows, Illinois

Country and Zip/Postal Code: U.S.A. 60008

Citizenship: U.S.A.

Mailing Address: Same as above.

Inventor's Signature: 

Date: 5/21/04

Full Name of Third Joint Inventor: **Todd Trein**

Residential Street Address: **530 Cottonwood Circle**

City and State/Province: **Bolingbrook, Illinois**

Country and Zip/Postal Code: **U.S.A. 60440**

Citizenship: **U.S.A.**

Mailing Address: **Same as above.**

Inventor's Signature: 

Date: **5/21/04**